Remarks/Arguments

The Examiner is thanked for the careful review of this Application. Claims 1, 3-10, 14, 15, and 18-20 are pending after entry of the present Amendment. Claims 11, 12, 16, and 17 were previously cancelled. Claims 2 and 13 have been cancelled. Minor amendment was made to the specification to correct a typographical error. Amendments were made to claims to overcome the Office's new grounds of rejection. The amendments do not introduce new matter.

Rejections under 35 U.S.C. § 102:

The Office has rejected claims 1, 10, 14, 15, and 18-20 under 35 U.S.C. § 102(b) as being anticipated by "the Evolution of Jini^{TM} Technology in Telematics" by Judith Arato and Steven Knudsen (hereinafter "Arato"). For at least the following reasons, the Applicants submit that Arato fails to disclose each and every feature of independent claims 1, 10, and 15, as amended.

For instance, among other features, independent claims 1, 10, and 15 have been amended to specify that the logical device code segment, the API, or the API code segment is capable of providing access to device data from a plurality of physical devices. In contrast, the powertrain service, running gear service, and power plant service of Arato fail to provide the same functionalities as the logical code segment of claim 1, the API of claim 10, or the API code segment of claim 15. Unlike the logical device code segment, the API, or the API code segment of the subject application, the powertrain service, running gear service, or power plant service of Arato can only provide access data from a corresponding physical system, and not from a plurality of physical devices. Specifically, on page 9, numeral 1 of Arato, the powertrain service component of Arato is generated by the powertrain network service and can only be used in association with the powertrain physical system (e.g., access data from the powertrain physical system). In the same manner, the running gear network service and power plant network service are respectively associated with (or can access data from) the running gear physical system and power paint physical system.

The Applicants' interpretation is corroborated by Figure 1 of Arato. As shown in Figure 1, there is a one-to-one correspondence between the powertrain service, powertrain network service, and powertrain physical system of Arato. The same one-to-one association exists between the running gear service, running gear network service, and running gear physical system as well as the power plant service, power plant network service, and power plant physical system. Contrary to the Office's interpretation, there is no showing in Figure 1 that any of the services in the lookup service (LUS) can be used to access data from any physical system other than the physical system associated with the service.

Furthermore, in the subject application, the API of claim 10 or the API code segment of claim 15 provides the application program access to the device data. Unlike claims 10 and 15, in Arato, the components interpreted by the Office to function as the physical device code segment (i.e., the powertrain network service, running gear network service, or the power plant network service) provide the interface for interacting with the physical device, and not the API or the API code. The Applicants note that page 9, numeral 1 of Arato supports the Applicants' interpretation. Specifically, the powertrain network service, the running gearing network service, or the power plant network service are disclosed to provide the interface for interacting with the device, and not the powertrain service, the running gear service, or the power plant service.

Accordingly, independent claims 1, 10, and 15 are respectfully submitted to be patentable under 35 U.S.C. § 102(b) over Arato. In a like manner, dependent claims 2, 14, 18-20 each of which directly or indirectly depends from the applicable independent claim are submitted to be patentable under 35 U.S.C. § 102(b) over Arato for at least the reasons set forth above regarding the respective independent claim.

Rejections under 35 U.S.C. § 103(a):

Claims 3-9 have been rejected under 35 U.S.C. § 103(a) as being obvious over Arato in view of the Applicants' admitted prior art. For at least the reasons provided below, the combination of the cited prior art fails to raise a *prima facie* case of obviousness against the subject matter defined in claims 3-9.

The Applicants submit that the combination of the cited prior art fails to disclose, teach, or suggest all the features of claims 4-9. For instance, as described in more detail above with respect to the 102(b) rejection of claim 1, among other features, the combination fails to disclose, teach, or suggest a logical device code segment that is capable of providing access to device data from a plurality of physical devices. The Applicants note that the excerpt of Arato cited by the Office (page 9, Figure 1, numeral 6) does not disclose, teach, or suggest that the powertrain service, running gear service, or the power plant service has the capability of providing access to the device data from any other physical device other than the corresponding physical system (e.g., powertrain physical system, running gear physical system, or power plant physical system). Rather, the explicit disclosure of Arato, supports the Applicants' interpretation that there is a one-to-one association in Arato. For instance, on page 9, numeral 1, Arato provides:

> There is a corresponding Network Service for each of those devices. The Network Service is a software representation of physical device and provides the interface for interacting with that device.

Thus, as explicitly disclosed, each network service corresponds to a single physical device. Furthermore, on page 8, numeral 2, Arato provides:

> Each Network Service joins the [Lookup Service] LUS by discovering and registering itself with the LUS.

Based on the disclosure of Arato and the Jini technology, a service registered with the LUS is only associated with its corresponding network service and thus the physical system connected to the telematics system.

Furthermore, the Applicants submit that even if Arato were to be modified so that a particular service registered with the LUS could be associated with more than one physical system (a proposition with which the Applicants disagree), the resulting system of Arato would be rendered unsatisfactory for its intended purpose. For instance, if Arato were to be modified such that in addition to the powertrain physical system, the powertrain service would be associated with the running gear physical system and power plant physical system, the resulting system would be rendered unsatisfactory for its intended purpose. Specifically, disconnecting a physical device would involve un-registering its associated service from the LUS. The removal of the associated service from the LUS, however, results in disconnecting each and every physical system associated with that service. In short, removing one of the physical devices associated with a registered service results in disconnecting all the physical devices associated with the service. It must be noted that disconnecting all the physical devices associated with the service is undesirable, as the intention was to disconnect only one of the devices and not all of the associated physical devices. It must further be noted that in accordance with the Jini technology, the service associated with an unconnected physical system cannot remain registered with the LUS. Specifically, in accordance with the Jini technology, registration with the LUS is an indication that the physical device associated with the service is connected to the telematics system. By the same token, when a physical device does not have an associated service registered with the LUS, it is an indication that the physical device is no longer connected to the telematics system.

Additionally, in rejecting the claims under § 103(a), the Office has also interpreted that JMatos is a logical code segment. The Applicants respectfully submit that the Office has not provided the Applicants with any explanation as to which physical system in Arato is the physical system associated with the JMatos service.

It is further submitted that admitted prior art fails to cure the above-discussed deficiencies of Arato relative to claims 3-9. Therefore, for at least the aforementioned reasons, the combination of Arato and the admitted prior art would not have disclosed, taught, or suggested to one having ordinary skill in the art the subject matter defined in claims 3-9. Accordingly, claims 3-9 are patentable under 35 U.S.C. § 103(a) over the combination of Arato and the admitted prior art.

The Applicants hereby submit that this Amendment complies with 37 C.F.R. 1.116(b)(3), as the amendments are in response to the new grounds of rejection set forth in the Final Office Action, and could not have been presented earlier. As such, the Applicants respectfully request that the Amendment be entered.

As such, the Applicants respectfully request examination on the merits of the subject application, and submit that all of the pending claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact Albert S. Penilla at (408) 749-6023. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP152). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

Fariba Yadegar-Bandari, Esq.
Reg. No. 53,805

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone (408) 774-6913
Facsimile (408) 749-6901
Customer No. 32291